

PRESIDENT WARNS CALIFORNIA

THREAT OF MILITARY COERCION OVER JAPANESE AFFAIR.

Congressmen Aroused, Especially the Californians and Southerners, Who Will Form a Coalition—Japan Will Likely Be Appealed—Test Case to Be Made.

WASHINGTON, Dec. 4.—Whatever effect President Roosevelt's reference in his annual message to Congress to the discrimination against Japanese in California may have in placating the Government and people of Japan, there was much comment in both houses of Congress after the message had been read that indicated a tendency on the part of many Senators and Representatives to criticize the attitude which the President has adopted.

It is evident at the very outset of the Congress session that in some of the things he said concerning the anti-Japanese feeling on the Pacific Coast he has not struck a popular chord. There is, however, a disposition among Congressmen to believe that the agitation will blow over and that the Japanese Government will come to recognize that local conditions alone are responsible for the discrimination against its subjects in California.

President Roosevelt made plain in his message that there was no sympathy whatever on the part of the American Government with the attitude displayed toward Japanese by the authorities and the people of the Western coast, and his language is so emphatic and so free from uncertainty as to his meaning that Japanese must be convinced, in the opinion of thoughtful men in Washington, of the deep feeling of friendship for her which exists in this capital and in all except a comparatively small portion of the United States.

While it is unquestioned that the great majority of Congress has no sympathy with the discrimination against the Japanese on the Pacific Coast and fully approves the President's vigorous assertion that "to shut them from the public schools is a wicked absurdity," this does not mean that all the President has to say on the subject in the voluminous communication laid before Congress to-day meets with the approval of an overwhelming number of Senators and Representatives.

On the contrary, there were mutterings of protest over some of the President's views, and the dissatisfaction was probably directed toward one assertion he made. "Even as the law now is," the President declares, "something can be done by the Federal Government toward this end [to enforce treaty rights even when they conflict with State laws], and in the matter now before me affecting the Japanese everything that it is in my power to do will be done, and all of the forces, military and civil, of the United States which I may lawfully employ will be so employed."

Although it is generally admitted that the President's announcement is a clear and explicit warning that he will use the armed forces of the Government to compel States and municipalities to respect the rights guaranteed by treaty to foreign subjects residing within their borders, conservative men in Congress were unwilling to believe that he would go to that extreme without the express authorization of the national legislature.

No matter how mildly Congressmen from other sections may view the President's declaration there is no doubt as to how the California delegation stands. This delegation is solidly Republican and is apparently as solidly worked up to a white heat over the portion of the message devoted to the treatment accorded Japanese subjects in the Pacific Coast State. The members of the delegation, angry as they are, showed a reluctance to criticize the President openly, but commented on his statements in terms that left no doubt of their feeling of resentment.

"The President has set up a man of straw and then proceeded to knock him down," said Representative Needham. From an ethical standpoint what he says sounds very nice, but he has failed to appreciate conditions as they exist. So far as the use of the military forces of the country is concerned I do not think that he can coerce the sovereign State of California, if the State has acted within her rights, as we firmly believe she has.

"As to citizenship for the Japanese we are all unalterably opposed to such action. That matter is a long time off; we need legislation to restrict the right of citizenship rather than to increase it."

Representative Hayes, who represents in part the city of San Francisco, said:

"If the city of San Francisco or the State of California had violated any treaty which the Federal Government made with Japan under the Constitution then the President would be justified in using the military forces at his command to enforce treaty rights, but we have violated no treaty rights. The treaty in question does not give the Japanese the right to be educated in the same schools with the white children. This right is not given to some of our own citizens, for the Southern States have been upheld in their segregation of the white and colored children. Japan has no right under treaty or otherwise to regulate our school system, and I contend that any treaty which would give her that right would be unconstitutional."

The Californians declare that they are at a loss to understand where the President received his information as to the conditions concerning the treatment of the Japanese in their State. Their understanding is that he did not get it from Victor L. Metcalf, the Secretary of Commerce and Labor, who is a Californian. Mr. Metcalf was sent to California by the President on November 2 and did not see the President again until after Mr. Roosevelt had returned from Panama.

The California Congressmen will have a meeting this week to discuss the situation presented by the President's recommendations. They will wait, as one member expressed it, until some of them cool off. They are afraid that a meeting at this time would result in an explosion which might tend to complicate the international situation.

If the Californians in Congress decide to make a fight against the President's policy they will have the support of the Southern Democratic representation.

Many of the Southerners went to the Californians and pledged support in opposing any attempt by the President to carry out his suggested enforcement of treaty obligations, and already steps have been taken.

HENRY WHITE GOES TO PARIS

And Grisco Succeeds Him at Rome—Man for Brazil Chosen.

WASHINGTON, Dec. 4.—It can be said on the best authority that the Administration has again changed its plans concerning the changes to be made in certain diplomatic establishments and that Henry White, now Ambassador to Italy, will go to Paris to succeed Mr. McCormick, the present Ambassador, who is to retire from the service. This transfer for Mr. White is a greater advancement than his proposed change from Rome to St. Petersburg, which was reported yesterday and which the President was thought to have virtually decided upon. No reason is assigned for the change of plans.

Mr. White's departure from Rome to Paris will leave a vacancy which will be filled by Lloyd C. Grisco, the present Ambassador to Brazil. It has not been determined when the changes will take place.

Another vacancy in the corps will be made by the transfer of Mr. Meyer from his position as Ambassador to Russia to that of Postmaster-General. The time of this change depends upon the date of the general election in the Cabinet. Secretary Shaw is not expected to leave until March. Until he goes Postmaster-General Cortright cannot change his office to the Treasury Department and accordingly Mr. Meyer's coming to this country depends upon the date of the retirement of Mr. Shaw. The transfer of Mr. Meyer and of Mr. Grisco will leave two very good diplomatic posts vacant.

It is expected that President Roosevelt will send in nominations of the diplomats within a few days. A successor has been found for Mr. Grisco, but it is not known who he is. The Government is now waiting only to hear from Brazil concerning the acceptance of Mr. Grisco's proposed successor to the Government in Rio.

MINISTERS GUNNING FOR RAIN.

Movement in Jefferson County to Curb His Power in Senate.

WATERLOO, N. Y., Dec. 4.—The Jefferson County Ministerial Union, made up of every Protestant minister in Jefferson county, has adopted a resolution requesting Senator George H. Cobb to use all the influence he possesses to defeat Senator John Raines for president pro tem of the Senate and also prevent him, if possible, from serving on important committees in the Senate. Senator Cobb is one of the city and he will regard the resolution as not known. The animosity toward Raines grows out of his opposition to the Tully-Wainwright local option bill, for which Cobb voted and which the ministers have been out on good authority Raines defeated.

COLDEST DECEMBER 4.

Mercury 9.1 Degrees Above Zero—Wind Shift W. and N. W.

The bromidian reporters who had Old Boreas whistling through the town yesterday were off their bearings several points. The bluster gods who were really doing things were Zephyrus and Argestes. They worked alternately, with force varying from 20 to 40 miles an hour. But no traditional winter weather tale is complete without O. B., any more than a piece about a hot summer day is properly rounded out without reference to Old Boreas. It was a mighty cold day for early December. In fact, it was the coldest December 4 on record and colder than any other day in December up to that date in the local log of the Weather Bureau except one, December 1, 1875, when the mercury registered 9 degrees. It was not very far from that record at 7:30 o'clock yesterday morning, when the official temperature was 9.7 degrees. The silver streak began going up about after that and the official temperature at local and Washington experts was that it probably would be milder to-day.

SHIPPERS SENT TO JAIL.

Ohio Business Men Sentenced for a Year for Commerce Conspiracy.

CHICAGO, Dec. 4.—Robert D. Bradley, president of the Canton Rubber Company of Canton, Ohio; Edwin Davis, vice-president of the company, and William J. Byrd, formerly an officer of the company, but recently practicing law in Cleveland, Ohio, were sentenced to-day by Judge Landis of the United States District Court to serve one year each in the House of Correction. They were convicted of conspiracy to violate the Federal laws governing interstate commerce.

These three were recently indicted by William J. Ellis, an employee of the company in Canton, and Walter M. Dean, Chicago agent of the company.

PREACHERS' MARRIAGE RULES.

Stamford Association Adopts Resolutions Limiting Their Activities.

STAMFORD, Conn., Dec. 4.—Stamford's popularity as a Greta Green for New Yorkers who because of the laws of their State or for other reason have in this place found here in large numbers to be married is threatened. The Ministers' Association has adopted a set of resolutions. They say they will not marry parties both of whom are strangers unless they are properly introduced and identified. They agree not to marry any persons whose marriage they have reason to believe is forbidden by the laws of the church in which both parties hold membership. They also agree not to marry divorced persons, except it be the innocent party in the case where the divorce has been granted on account of adultery.

It is understood, however, that one or two of the ministers will continue to marry all applicants.

TOWN SOLD FOR \$4,925.

Purchaser Gets Houses, Factories, Everything But One Church.

WILKINSVILLE, Mass., Dec. 4.—This entire village, save only St. John's Episcopal Church, consisting of two or three mills and some thirty dwellings, was sold under the hammer for \$4,925 this afternoon by the Slater family of cotton manufacturing fame, to J. J. Quinn of Worcester.

The place was once one of the most important manufacturing villages on the Blackstone River. The history of the village dates back to 1815, when Asa Waters of Milbury bought water power privileges. He sold them to David Wilkinson of Providence, R. I., in 1823. Mr. Wilkinson established the manufacturing industry on a somewhat elaborate basis, but in 1842 the property passed into the control of the Sutton Manufacturing Company. Since the death of H. N. Slater, the head of that corporation, it has been in the hands of trustees. The cotton mill has been idle since 1897.

CLERKSHIP FIGHT GETS WARM

IF SMITH CAN BEAT BAXTER, EET HIM, IS THE TALK.

Governor-Elect Hughes and Mrs. Hughes Go to Albany To-day, Mr. Hughes to Washington on Dec. 12—44 Assemblymen See Woodruff and Talk Committees.

Governor-elect Hughes and Mrs. Hughes will leave for Albany this morning on the Empire State Express to be the guests of Governor and Mrs. Higgins to-day. Mrs. Hughes will indicate to the State Superintendent of Public Buildings the changes she wishes made in the Executive Mansion, when she and her husband take possession on January 1. Mr. Hughes said yesterday: "I am going to Washington to see the President next Wednesday, December 12. Immediately after election the President sent me his congratulations and invited me to go and see him, and I accepted his invitation."

Mr. Hughes's attention was called to a despatch from Washington quoting Senator Platt as saying that he had received a letter from the Governor-elect. Mr. Hughes said:

"I think the Senator must have been misquoted. I have not sent a letter to him."

Mr. Hughes personally confirmed the statement in THE SUN yesterday as to his attitude of non-interference in the organization of the Senate and the Assembly when he said:

"I think my attitude in that matter is pretty well understood. I realize my responsibility as Governor, and I think the two branches of the Legislature realize their responsibility."

At Republican State headquarters, 12 East Thirtieth street, there was a drove of Assemblymen. Incidentally the old report that Frederick D. Kilburn, Superintendent of Banks, intends to resign on January 1 was revived. It was stated this time that Governor-elect Hughes and State Chairman Woodruff were so informed. Mr. Hughes didn't know anything about the matter, and Mr. Woodruff said:

"I have heard reports that Kilburn had an offer, a very flattering offer, in a bank to do just the sort of work for which he is best suited, and I have heard he was to resign. I have no official information, however, as to the truth of the report."

Former United States Senator Frank Hiseock of Syracuse joined the Onondaga delegation at State headquarters yesterday in urging the selection of Ray B. Smith to be Clerk of the Assembly. Clerk Archie E. Baxter will see Mr. Woodruff and others to-day about his candidacy for reelection. This rivalry between Col. Baxter and Mr. Smith became even more troublesome yesterday. Personally Col. Baxter has a host of Republican friends. But it was mentioned to Chairman Woodruff that B. B. Odell, Jr., jumped into the arena shortly after election day with Col. Baxter as his candidate for Clerk. Mr. Odell had meetings of Assemblymen friendly to himself at the Murray Hill Hotel, in which Senator George R. Malby joined, and they took up the cudgels for Col. Baxter, who said later on that Mr. Odell and the others had no right to make him a factional candidate. Chairman Woodruff was reminded yesterday that Col. Baxter for several years has been very partial to Mr. Odell's side of the Republican camp, and a hint was given that "Mr. Woodruff and all other Republicans in the State should stop playing Higgins politics and throw the weight of their influence to Smith."

By "Higgins politics" the Republicans who counseled Mr. Woodruff said that they meant tolerating Odell and they said that the very last vestige of Mr. Odell should be done away with, even if it retired to private life so good a man as Col. Baxter. They also said that Col. Baxter could be provided with another place where there would not be ninety-five appointments to make that might be a valuable machine asset. It was easy to see yesterday that there is very much feeling over this Assembly clerkship. The Republicans who counseled with Chairman Woodruff said that a fight should not be avoided, but that the issue between Odell and the anti-Odell men in the party should be brought right up.

Fifty-four of the ninety-eight Republican Assemblymen turned up at headquarters to talk with Chairman Woodruff and tell their wants as to committees. Speaker Wadsworth is to be here to-day. There is no doubt whatever of the Speaker's reelection. The Speaker, with Mr. Odell and other Republicans, is to make up a tentative list of chairmanships, and then everything is to be left to the Assembly caucus, which is to convene on January 2.

Some of the Assemblymen called on Governor-elect Hughes at his office. These visits, however, were merely visits of courtesy, for the callers knew that Mr. Hughes would refuse to discuss with them any matters relating to the organization of the Legislature.

PASTOR ON TRIAL FOR PEEPING.

Neighbors Charged That He Watched Women Preparing to Retire.

UTICA, Ohio, Dec. 4.—The church trial of the Rev. T. Boyd Gay, former pastor of the Union Presbyterian Church, opened this morning. The Rev. Mr. Gay is charged with peeping into the windows of his neighbor's houses. It is alleged by those who made the charges that the minister generally peeped into the windows in the evening while women were disrobing for the night.

The formal charges against the minister are conduct unbecoming a minister of the Gospel and falsifying, it being alleged that he gave untrue testimony before an investigating committee. After that investigation the pastor resigned and the resignation was accepted. He then left the village.

Mrs. H. C. Deems told the churchmen that one night she had retired herself for the night and stepped into a bedroom which was brightly lighted. She walked to a window, pulled aside the shade and, she declared, she saw Gay peeping.

Mrs. Deems told her husband and he prepared a trap for Mr. Gay. According to their statements it worked admirably. Gay concealed himself beneath the window sill, and while his wife prepared for bed, leaving the shade up several inches from the bottom.

Other neighbors of Mr. Gay tell similar stories.

Famous Philadelphia Surgeon Fatally Hurt in Runaway.

PHILADELPHIA, Pa., Dec. 4.—Dr. Joseph Herne, a famous Philadelphia surgeon, was thrown from his carriage to-day when his horse ran away. He is reported to be dying to-night.

FLORIDA AND CALIFORNIA RESORTS.

Some of the shortest direct routes between the two States are now being planned. Routes are being planned from St. Petersburg, Fla., to Los Angeles, Cal., and from Miami, Fla., to San Francisco, Cal.

WALLED OUT THE SUBWAY.

Empire Building Goes to Law with the Rapid Transit Board.

Frederick Potter and Clarence H. Kelsey, owners of the Empire Building, at 71 Broadway, applied yesterday to Justice Fitzgerald in the Supreme Court for an injunction restraining the Interborough Rapid Transit Company and the Rapid Transit commissioners from interfering with a brick partition which the plaintiffs have put up in the basement of the building to keep the subway company and the commissioners from making an entrance from the Rector street station of the subway into the building.

Negotiations have been going on for some time between the owners and the subway people as to the terms on which an entrance would be allowed, and a flight of steps was built from the basement to the station platform. But a dispute arose over the terms and the plaintiffs built up a brick wall at the head of the steps.

The subway people say that the brick wall encroaches on city property and have announced their intention of tearing it down, but the plaintiffs reply that the wall is built on their vault space and cannot be removed by the city or the subway company. They point to a vault permit granted nine years ago, but this permit was revoked in 1901, when the plans for the subway at this point were adopted.

Justice Fitzgerald reserved decision.

FUSS OVER PRESENTATION.

H. Winthrop Barnes at War with Charlemagne Tower Over German Court Slight.

Special Cable Dispatch to THE SUN.

BERLIN, Dec. 4.—So far as known Margaret M. Billings, daughter of Capt. W. L. Howard of New Haven, will be the only American woman presented at the Berlin court on January 18. It is possible, however, that Grace MacMillan Jarvis, granddaughter of Senator MacMillan, will be presented. She is now the guest in Berlin of Baroness von Kesteler, widow of the German Minister who was killed by Boxers in Peking.

In reference to presentations it may be mentioned for the first time that Ambassador Tower was overruled last January by the State Department regarding the presentation of Ethel, daughter of H. Winthrop Barnes of New York. Mr. Barnes applied to Mr. Tower in the ordinary way to secure a presentation. Mr. Tower refused on the ground that he did not know Mr. Barnes or anything about him.

Mr. Barnes was so indignant to the State Department and urged his case so successfully that the Department directed Mr. Tower to make the presentation, and he did so. It was noticed, however, that Miss Barnes was never invited to any subsequent court function. It is the almost invariable custom to extend such invitations to young ladies who have been presented at court.

It is understood that Mr. Barnes is now on his way to America to obtain redress for the wrong he believes was done him and his daughter.

SEIZE CHICAGO CANNED MEAT.

Sold by British Army Authorities and Confiscated by London Officials.

Special Cable Dispatch to THE SUN.

LONDON, Dec. 4.—Three large scavenger's carts drew up in front of Gutterall's hall this morning with 11,308 cans of preserved food bearing the labels of a well known Chicago firm. They had been seized in an auction room.

The owners had bought them from the military authorities at Pretoria, South Africa. None of the cans was blown and there was nothing in their outside appearance to show that they were bad, but they had been condemned as unfit for use.

MORE PAY FOR CONGRESSMEN.

Salaries of the Vice-President and the Speaker May Also Be Increased.

WASHINGTON, Dec. 4.—It is not improbable that the legislative appropriation which is now being prepared by the House Committee on Appropriations, and will soon be reported, will contain a provision increasing the salaries of members of the House from \$5,000 a year to \$7,500.

Such a provision would doubtless be subject to a point of order as new legislation under the rules of the House, but it is said that there is a tacit understanding that the point shall not be raised. In view of the increase it is probable that there will be coupled with it a proposition to pay members only their actual traveling expenses in lieu of the 5 cents a mile. The Pacific Coast men draw an average of \$1,000 more each session than do the men from Maryland, Virginia, Pennsylvania and other nearby States, while the Delegate from Hawaii draws more than \$2,000 additional each session.

The proposition for increase also carries with it a provision to increase the salaries of the Speaker of the House and the Vice-President, each of whom draws \$8,000 a year. A proportionate increase would be to allow each \$12,000 a year.

Representative James of Tennessee to-day introduced a bill to pay members of Congress \$7,000 annually and their actual traveling expenses.

CAME HERE TO MARRY.

Peekskill Couple First to Wed in the New Hotel Knickerbocker.

The first wedding in the new Hotel Knickerbocker, at Broadway and Forty-second street, from play last night, when Charles Nassau Wells, a Justice of the Peace and lawyer of Peekskill, and Miss Winifred Catherine Storms, only daughter of Capt. John I. Storms of that place, were married there.

The ceremony was performed by the Rev. Henry Marsh Warren, the hotel chaplain, in the presence of a dozen of the immediate relatives of the bride and bridegroom. Among them were the bride's father, Edward Wells, Jr., a lawyer at 14 Broadway, and Miss Anna Wells, brother and sister of the bridegroom. When the ceremony was over the bridal party sat down to a wedding dinner. They left on a late train for Peekskill.

The engagement of Mr. Wells and Miss Storms had been known to their friends for some time. Mr. Wells was first married shortly after he was graduated from Yale, but was divorced about ten years ago. Because of the fact that Mr. Wells had been divorced the wedding was not held in one of the Peekskill churches, as was originally planned.

The bride is the only child of Capt. John I. Storms, who retired from business some years ago. He started life as a boatman and became a trustee and finally President of the village. He was the first Republican to be elected Register of Westchester county.

After all, Usher's the Soester that made the highest season—Ad.

HARRIMAN MERGER ON TRIAL

INTERSTATE COMMERCE COMMISSION TO HOLD INQUIRY.

If Evidence of Operation in Restraint of Trade Develops the Government May Prosecute—Outside Counsel to Be Employed—The President Intervened.

WASHINGTON, Dec. 4.—The Harriman consolidation of railroads, alleged to be a combination in restraint of trade, is to be made the subject of an investigation by the Interstate Commerce Commission in connection with a decision just reached. Announcement to this effect will be made at the offices of the commission in Washington the latter part of the week.

All that remains to be done in advance of the beginning of the inquiry is for the commission to determine along what lines it shall proceed and to make a selection of expert counsel to take charge of the work. The final details of the order to be issued will be completed by Thursday or Friday and the intentions of the commission will then be fully disclosed. At the same time the name of special counsel engaged will be given to the public.

The commission has under consideration the names of several well known lawyers who are believed to be capable of undertaking the task of inquiring into the operations of the so-called Harriman lines. Among these are understood to be Francis J. Heney of California, who performed brilliant service for Secretary of the Interior Hitchcock in the prosecution of land grafters.

The Interstate Commerce Commission, of course, has nothing to do with the enforcement of the Sherman anti-trust act, under the terms of which the Northern Securities merger was dissolved by a decree of the United States Supreme Court as a combination in restraint of trade. But the commission has authority, under the interstate commerce act, to inquire into the management of the business of all common carriers, and is further directed to keep itself informed as to the manner and method in which such management is conducted.

The commission's investigation of the Northern Securities a few years ago revealed the evidence on which were based the proceedings in the courts by the Attorney-General, resulting in the dissolution of that gigantic combination.

Some doubt has been expressed in Washington if the Harriman lines can be reached by the Government under the Sherman act, in view of the fact that no one of them runs parallel to any other. This point, however, is not important to the Interstate Commerce Commission. Under the general powers given that body the commission will seek in this instance to get information as to the purpose and mode of operation of the managers of the so-called Harriman lines, together with the effects of the consolidation upon interstate commerce and the rates prevailing in the territory through which the Harriman lines run.

The inquiry will be undertaken to determine whether the combination or its method of association of various roads is in violation of the terms of the interstate commerce act. Out of this investigation may possibly grow a suit by the Government to restrain the Harriman lines from operating in restraint of trade.

The suggestion was made to-day by a member of the commission that while the Harriman roads may not be combined for the reasons that actuated the merger of the Hill roads, possibly they may be working under what is known as "gentlemen's agreement" with certain of their competitors.

There is good reason to believe that the President is advised as to the intention of the commission. It is said the evidence taken in Omaha in the case involving the Union Pacific, Harriman road, in connection with the coal land frauds in Wyoming, has been submitted to him and that he has expressed great interest in it.

ELLA DAILETT SWAN IN DEBT

To Shops and Dressmakers and Files a Petition in Bankruptcy.

Mrs. Ella Dalett Swan, who was married four years ago to Donnell Swan, the Baltimore banker and society man, who was the first husband of Mrs. Elsie Dyer, Jr., filed a petition in bankruptcy in this city yesterday, naming her liabilities as \$29,900 and her assets as nothing. Her petition was acknowledged before a notary public in Washington on November 23.

Mrs. Swan says she has fifty-one creditors in all, in this city and Baltimore. Among them are the Simpson, Crawford Co., \$787; Arnold Constable & Co., \$246; Josephine Carlton, \$214; Lillias Hurd, \$150, and Francis, \$85. The last three creditors are dressmakers and milliners.

Mrs. Swan was married in this city on November 5, 1902, at the home of her sister, Mrs. E. E. Swift, 229 West End avenue. She was the daughter of John Payne Wilson, head of the Baltimore banking firm of Payne & Wilson.

ACTRESS HELD ON SUSPICION.

Another Actress Missed Her Jewelry and Had Her Caller Arrested.

Ida Wright, who said she was an actress living at 127 University place, was held as a suspicious person by Magistrate Swann in the West Side court yesterday in \$1,500 bail for examination on Thursday, after Agnes Burroughs, also an actress, who lives at the Hotel Endicott, had told a story of missing from her room on Saturday a diamond necklace and a diamond brooch, which she declared cost \$750, but were now worth double.

Miss Burroughs said that she missed the jewelry Saturday evening at 10:30, after she had been from a sleep of four hours during which the door of her apartment had been unlocked. She said that Miss Wright, who had visited her house several times during the last three months in search of employment, had said during a call on Monday night that she had visited the apartments on Saturday evening about 8:45.

Detectives McGrath and Gier, who were present on Monday, declared that Miss Wright then immediately denied having called on Saturday, saying that she had been there on Friday.

The policemen took Miss Wright to the West Sixty-eighth street station. She denied that she had called on Miss Burroughs on Saturday and declared that she could prove an alibi.

Try Gold & Black Ball Rugs Series, Feldman Importing Co., New York—Ad.

NEW CHARGE AGAINST MCCURDY

Of Buying New Haven Bonds at a Higher Price Than Necessary.

District Attorney Jerome has been investigating for some time charges that Richard A. McCurdy, as president of the Mutual Life, assumed a bond issue of the New York, New Haven and Hartford Railroad at a figure higher than he was required to pay and caused a loss of \$37,800 of the policyholders' money.

The New York, New Haven and Hartford directors had authorized an issue of bonds for the purpose of terminal improvements. Mr. McCurdy, then president of the Mutual, was a director of the railroad. A bid of 105 was made for the entire issue, but McCurdy bid 105 1/4 for \$5,000,000 worth. In doing this it is charged he was actuated by a desire to embarrass the rival bidder.

The other bidder sent word to McCurdy that if the latter would allow him to assume the entire issue at 105 he would turn over \$5,000,000 of the issue to the Mutual Life at the same figure. McCurdy refused, stuck to his bid and secured his bonds at 105 1/4.

The District Attorney after investigating the complaints says that he can see no way for him to proceed in the matter as Mr. McCurdy could establish a perfect technical defense.

TO FINE DEPARTMENT HEADS

If They Don't Stop Using City Autos Disguised as Private Carriages.

The Aldermen yesterday passed an ordinance imposing a fine of \$50 upon any official or employee using a city automobile which has not been displayed upon it in large letters the initials of the department to which the machine belongs. The board adopted last summer a code of regulations governing the use of the automobiles owned by the city and one clause ordered the attaching of the letters in addition to the registration number. The departmental heads have, however, generally ignored the order.

BETTER SERVICE ON R. T.

State Railroad Commission Recommends That Steadily Increasing Travel Be Met.

ALBANY, Dec. 4.—The State Railroad Commission has recommended that the Brooklyn Rapid Transit Company make provision at once for increasing the service furnished on its different lines. These recommendations are made now in view of the steadily increasing travel on the elevated and surface lines and the probable additional increase in travel in the holiday season.

The recommendations are in detail as to each line of road. Regarding the elevated service the recommendations are that an additional car be put on all trains in rush hours, and an additional service in the way of extra cars on trains is provided for Saturdays. On the surface lines the commission recommends more cars and a shorter headway. These recommendations are to take effect December 10.

CREDITOR SUES WAILE.

New Amsterdam Hotel Proprietor Wants \$425—Said to Have Got It.

A summons has been served on City Magistrate Charles F. G. Waile to appear in the Seventh District Municipal Court, on East Fifty-seventh street, this morning to answer the complaint of Edward Coyne,